

DEPARTMENT of the INTERIOR

FISH AND WILDLIFE SERVICE

news release

For Release August 29, 1980

Alan Levitt 202/343-5634

USE OF NEW SHOTGUN PRODUCTS MAY VIOLATE LAW, HUNTERS WARNED

The U.S. Fish and Wildlife Service today warned hunters that in its opinion new products that allow hunters to adjust the shell capacity of tube-fed shotguns in the field are illegal for use in taking migratory game birds.

Clark R. Bavin, Chief of the Service's Division of Law Enforcement, announced today that migratory bird hunters found using adjustable plugs for tube-fed shotguns may be subject to prosecution. In the opinion of the Service, use of the plugs is a violation of 50 CFR 20.21 (b), which makes it illegal to hunt migratory birds "with a shotgun of any description capable of holding more than three shells, unless it is plugged with a one-piece filler, incapable of removal without disassembling the gun, so its total capacity does not exceed three shells."

Federal regulations allow only shotguns with a capacity of three or fewer shells to be used in hunting migratory birds. The purpose of this regulation is to reduce potential overbagging and crippling losses.

"The regulation ensures that it is difficult and time consuming in the field to convert a shotgun from more than a three-shell capacity to a three-shell capacity and vice versa," Bavin said. "In the opinion of the Service, the new products violate both the terms and the purpose of this regulation in that they are two-piece devices and allow instantaneous conversion from five to three shells without disassembling the gun." Notice of the Service's opinion on these devices has been sent to State wildlife law enforcement authorities.

X X X